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11 and
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22 *Attorneys for Plaintiff*

23 **UNITED STATES DISTRICT COURT**
24 **DISTRICT OF NEVADA**

25 BRENNA SCHRADER, an individual, on behalf
26 of herself and all others similarly situated,

27 Plaintiff,

28 vs.

29 STEPHEN ALAN WYNN; an individual;
30 MAURICE WOODEN, an individual, WYNN
31 LAS VEGAS, LLC dba WYNN LAS VEGAS a
32 Nevada Limited Liability, WYNN RESORTS,
33 LTD, a Nevada Limited Liability Company; and
34 DOES 1-20, inclusive; ROE CORPORATIONS
35 1-20, inclusive,

36 Defendants.

Case No. 2:19-cv-02159-JCM-BNW

STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(First Request)

37 Plaintiff Brenna Schrader ("Plaintiff"), by and through her counsel of record, Eglet Adams
38 and Richard Harris Law Firm, Defendants Wynn Las Vegas, LLC ("WLV") and Wynn Resorts,
Limited ("WRL"), by and through their counsel of record, Jackson Lewis P.C., and Defendant

1 Stephen Alan Wynn (“Mr. Wynn”), by and through his counsel of record, Peterson Baker, PLLC,
2 hereby submit the foregoing stipulation and order to extend discovery deadlines by ninety (90)
3 days pursuant to LR 26-3 and LR IA 6-1:

4 **I.**

5 **A STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

6 Plaintiff, Defendants WLV and WRL, and Defendant Mr. Wynn have served their Early
7 Case Conference Disclosure of Documents and Witnesses Pursuant to Fed. R. Civ. P. 26(a)(1).
8 On August 12, 2022, Plaintiff served her First Supplement to the Early Case Conference
9 Disclosure of Documents and Witnesses and FRCP 26(a)(1) Pre-Trial Disclosure.

10 **II.**

11 **A SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE**
12 **COMPLETED**

13 On July 26, 2022, Plaintiff’s counsel sent defense counsel proposed dates of availability to
14 schedule Maurice Wooden’s deposition as he has knowledge of the facts and circumstances
15 surrounding the claims in this matter. After multiple emails were exchanged, the parties agreed to
16 proceed with Mr. Wooden’s deposition on November 16, 2022.

17 Plaintiff is in the process of collecting medical records, billing records, tax documentation,
18 and other information and/or documents pertinent to her damages in this matter. Plaintiff is also
19 in the process of propounding written discovery to the Defendants.

20 Plaintiff will continue to supplement her disclosures and it is anticipated the parties will
21 seek to schedule depositions of additional parties and witnesses. The extended time will allow
22 adequate time for the parties to conduct discovery, including propounding and answering written
23 discovery, retaining expert witnesses, and scheduling party, third-party, and expert witness
24 depositions.

25 **III.**

26 **REASON WHY DISCOVERY WAS NOT COMPLETED**

27 On May 20, 2022, the parties submitted their [Proposed] Joint Discovery Plan and
28 Scheduling Order. ECF No. 151. As the parties had different positions regarding whether

1 bifurcation of discovery was necessary, the parties requested a scheduling conference with the
2 Court in accordance with FRCP 16. *Id.* at 5:12-17. On May 25, 2022, the Court scheduled a hearing
3 regarding the parties' [Proposed] Joint Discovery Plan and Scheduling Order for June 10, 2022 at
4 12:00 p.m. ECF No. 152. On June 6, 2022, based on the parties' position regarding phased
5 discovery, the Court ordered the parties to submit additional arguments they would like the Court
6 to consider no later than June 15, 2022 by 5:00 p.m. ECF No. 153. The Court further rescheduled
7 the hearing regarding this matter to June 21, 2022 at 1:00 p.m. *Id.*

8 On June 9, 2022, at the request of counsel for Defendant Stephen Alan Wynn, the parties
9 submitted a Stipulation to Continue Hearing Date and Extend Briefing Deadline Regarding
10 [Proposed] Joint Discovery Plan and Scheduling Order. ECF No. 154. On June 10, 2022, the Court
11 granted the parties' Stipulation. ECF No. 155. Accordingly, the deadline to submit supplemental
12 briefing regarding the Discovery Plan and Scheduling Order was extended until June 29, 2022 and
13 the hearing date was rescheduled to July 12, 2022 at 10:00 a.m. *Id.*

14 On July 12, 2022, the Court heard oral argument from the respective parties regarding
15 whether bifurcated discovery was necessary and took the matter under submission. ECF No. 159.
16 On July 14, 2022, the Court set a hearing for July 15, 2022 at 10:00 a.m. to issue an oral ruling
17 regarding this matter. ECF No. 160. On July 15, 2022, the Court issued its Minutes of Proceedings
18 summarizing the oral ruling regarding the parties' [Proposed] Joint Discovery Plan and Scheduling
19 Order. ECF No. 161. As the Court ordered that the current discovery cut-off is November 14, 2022,
20 the parties require additional time to complete discovery in this complex putative class action case.

21 At the time of the hearing held July 15, 2022, the Court asked the parties to file a new
22 Discovery Plan and Scheduling Order that contained the rulings presented during the proceeding.
23 [ECF No. 161]. Defense counsel requested a copy of the transcript from the July 15, 2022 hearing,
24 requesting the same on a 7-day expedite, but due to illness of the court reporter, the transcript was
25 not filed with the Court until August 5, 2022. Because the parties did not have the transcript from
26 the July 15, 2022 hearing until August 5 2022, the parties have been working diligently to prepare
27 a Discovery Plan and Scheduling Order.
28

1 On August 5, 2022, Plaintiff's counsel proposed extending all deadlines for 90 days.
2 However, the date of Plaintiff's request occurred after a date that was 21 days before the deadline
3 to amend pleadings or add parties, and thus, a stipulation to extend could not comply with LR 26-
4 3. The parties believe their delay is the result of excusable neglect pursuant to LR 26-3.

5 On August 9, 2022, Plaintiff's counsel circulated the instant Stipulation and Order for
6 review and approval by all parties. The parties have been diligently communicating via email on
7 various topics, however, there are 4 different law firms actively involved in this matter. The parties
8 exchanged proposed edits and ultimately agreed on the language set forth in the instant Stipulation
9 and Order. However, as the deadline to file motions to amend pleadings or add parties expired
10 before the parties were able to finalize the instant Stipulation and Order, the parties respectfully
11 request that this Court consider the delay in finalizing the instant Stipulation and Order in good
12 faith and the result of excusable neglect pursuant to LR 26-3. The requested extension is further
13 not intended for purposes of delay, and as such, good cause exists for the requested extension.
14 Accordingly, the parties respectfully request that this Court grant their first requested extension of
15 all deadlines for ninety (90) days as requested herein.

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IV.

A PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY

The parties respectfully request that this Court enter an Order setting the following discovery plan and scheduling order dates for phase 1 of discovery in this matter:

<u>Deadline:</u>	<u>Current Date:</u>	<u>Proposed New Date:</u>
Deadline to complete discovery	November 14, 2022	February 13, 2023
Deadline to file motions to amend pleadings or add parties	August 16, 2022	November 14, 2022
Deadline for initial expert disclosures	September 15, 2022	December 14, 2022
Deadline for rebuttal expert disclosures	October 17, 2022	January 16, 2023
Deadline for parties to file dispositive motions	December 14, 2022	March 14, 2023
Deadline for Rule 23 Class Certification Motion	February 17, 2023	May 18, 2023

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EGLET ADAMS

DATED this 6th day of September, 2022.

RICHARD HARRIS LAW FIRM

JACKSON LEWIS P.C.

/s/Burke Huber, Esq.

/s/Joshua A. Sliker, Esq.

Burke Huber, Bar No. 10902
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Las Vegas, Nevada 89101
Attorneys for Plaintiff
Brenna Schrader

Deverie J. Christensen, Bar No. 6596
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Attorneys for Defendants
Wynn Las Vegas, LLC and Wynn Resorts, Ltd.

EGLET ADAMS

PETERSON BAKER, PLLC

/s/Brittney R. Glover, Esq.

/s/Tamara Beatty Peterson, Esq.

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Attorneys for Plaintiff
Brenna Schrader

Tamara Beatty Peterson, Bar No. 5218
Nikki Baker, Bar No. 6562
701 S. 7th Street
Las Vegas, Nevada 89101
Attorney for Defendant
Stephen Alan Wynn

ORDER

IT IS SO ORDERED.



United States Magistrate Judge

Dated: September 7, 2022

Submitted By:

EGLET ADAMS

/s/Brittney R. Glover, Esq.

Tracy A. Eglet, Bar No. 6419
Brittney R. Glover, Bar No. 15412
400 S. 7th Street, Ste. 400
Las Vegas, NV 89101
Attorneys for Plaintiff
Brenna Schrader

Bianca Marx

From: Tammy Peterson <tpeterson@petersonbaker.com>
Sent: Friday, September 2, 2022 3:16 PM
To: Brittney Glover; Sliker, Joshua A. (Las Vegas); Christensen, Deverie J. (Las Vegas)
Cc: Burke Huber; Danielle Miller; Bianca Marx; Nikki Baker; Williams, Hilary A. (Las Vegas); Chandler, Kelley (Las Vegas); Burke Huber
Subject: RE: Schrader v. Wynn, et. al. - Computation of Damages

Brittney

Sorry for the delay, I was in deposition today. You may affix my electronic signature on the stipulation to extend.

Regards
Tammy

Tamara Beatty Peterson, Esq.

Peterson Baker, PLLC
702.786.1001

From: Brittney Glover <bglover@egletlaw.com>
Sent: Friday, September 2, 2022 1:34 PM
To: Sliker, Joshua A. (Las Vegas) <Joshua.Sliker@Jacksonlewis.com>; Tammy Peterson <tpeterson@petersonbaker.com>; Christensen, Deverie J. (Las Vegas) <deverie.christensen@jacksonlewis.com>
Cc: Burke Huber <burke@richardharrislaw.com>; Danielle Miller <dmiller@egletlaw.com>; Bianca Marx <bmarx@egletlaw.com>; Nikki Baker <nbaker@petersonbaker.com>; Williams, Hilary A. (Las Vegas) <Hilary.Williams@Jacksonlewis.com>; Chandler, Kelley (Las Vegas) <Kelley.Chandler@jacksonlewis.com>; Burke Huber <burke@vanlawfirm.com>
Subject: RE: Schrader v. Wynn, et. al. - Computation of Damages

Thank you. We will get the DPSO filed now.

Once I receive permission from Tammie on the stipulation to extend, we will get that filed.

Bianca Marx

From: Sliker, Joshua A. (Las Vegas) <Joshua.Sliker@Jacksonlewis.com>
Sent: Friday, September 2, 2022 1:27 PM
To: Tammy Peterson; Brittney Glover; Christensen, Deverie J. (Las Vegas)
Cc: Burke Huber; Danielle Miller; Bianca Marx; Nikki Baker; Williams, Hilary A. (Las Vegas); Chandler, Kelley (Las Vegas); Burke Huber
Subject: RE: Schrader v. Wynn, et. al. - Computation of Damages

Brittney,

You have permission to affix my signature to the revised DPSO and the stipulation to extend.

Thanks.



Joshua A. Sliker (He/Him)

Attorney at Law

Jackson Lewis P.C.

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From: Tammy Peterson <tpeterson@petersonbaker.com>
Sent: Tuesday, August 30, 2022 12:29 PM
To: Brittney Glover <bglover@egletlaw.com>; Sliker, Joshua A. (Las Vegas) <Joshua.Sliker@Jacksonlewis.com>; Christensen, Deverie J. (Las Vegas) <deverie.christensen@jacksonlewis.com>
Cc: Burke Huber <burke@richardharrislaw.com>; Danielle Miller <dmiller@egletlaw.com>; Bianca Marx <bmarx@egletlaw.com>; Nikki Baker <nbaker@petersonbaker.com>; Williams, Hilary A. (Las Vegas) <Hilary.Williams@Jacksonlewis.com>; Chandler, Kelley (Las Vegas) <Kelley.Chandler@jacksonlewis.com>; Burke Huber <burke@vanlawfirm.com>
Subject: RE: Schrader v. Wynn, et. al. - Computation of Damages

[EXTERNAL SENDER]

Brittney

Please see my comments and additional edits attached. If you make any further changes, could you please do that in an overlay to this Word version so that it's easier to see your changes? Thanks.

Regards
Tammy

Tamara Beatty Peterson, Esq.

Peterson Baker, PLLC

702.786.1001